

SAMUEL B. ELLIOTT.

MARCH 30, 1860.—Ordered to be printed.

Mr. WINSLOW, from the Committee on Naval Affairs, made the following

REPORT.

The Committee on Naval Affairs, to whom was referred the memorial of Samuel B. Elliott, late a passed midshipman in the United States navy, having had the same under consideration, respectfully report :

The petitioner was a midshipman in the United States navy, attached to the United States schooner Flirt, in 1843. Under the exigencies of the service he was, by his commanding officer, directed to perform at various times the duty of purser, for which he asks compensation at the rate of \$1,500 per annum, amounting to \$789 03, deducting therefrom \$222 46, his pay as midshipman. The act of 1835, regulating the compensation of naval officers, expressly declares that they shall receive no other compensation whatever, except for traveling expenses. It was said, however, for the petitioner, that the act of 1842 prescribes that whenever an officer shall perform the duty of a higher grade by order of the commander of a ship acting singly on a foreign station, he shall be entitled to the pay of such higher grade. The act of 1842 was repealed in 1844, but as this service was rendered in 1843, the act of 1844 does not apply. It does not appear that the Flirt was acting singly on a foreign station. However this may be, the committee are of opinion that the petitioner does not bring himself within the meaning of the act of 1842. He was not an officer ordered to the duty of a higher grade. It has not heretofore been so considered. It has not been the practice of the government to allow for extra services of this character when temporarily performed by a commissioned officer of the navy, and the committee recommend that the prayer of the memorial be disallowed.

